

## **REMARKS/ARGUMENTS**

### **Status of the Application**

Claims 16-32 are pending in this application. Claims 33-35 have been added to more clearly reflect that the systems for which service information may be provided and operational data may be provided can be selected from the group consisting of HVAC systems, fire safety systems and mechanical systems. In the February 02, 2006 office action, the Examiner rejected claims 16-32 under 35 U.S.C. 102(e) as being allegedly anticipated by Kalantar et al. USP 6,954,737 ("Kalantar"). The Notice to the Applicant regarding the Non-Compliant Amendment was never received by applicant, but was noticed during counsel's period status check of the application on PAIR. A voice message to the Legal Instruments Examiner regarding the Notice was not returned. It is assumed that the basis of the notice was listing claims added by amendment as original claims. These claims have been relabeled.

### **Claim Rejection – 35 USC 112**

Claims 16, 22 and 28 have been amended to remove the "capable of" language objected to by the examiner. The newly amended claims are not meant to claim both a web portal and a client, but that the web portal is provided so that it can provide information to a client upon request.

### **Claim Rejections – 35 USC 102(e)**

#### **A The Present Invention**

The present invention relates to a system and method for collecting service information and operational information for various types of building systems. The advantage of the present system is that by providing access to operational

data and service data, the user can better monitor the performance of their system. A user can use operational data and service data to better determine how well particular systems are working. If user detects an abnormality with the operation of a system, having access to service information can help the user pin-point potential problems with the system. Further, a user can monitor whether service has been conducted properly by having access to operational data to make sure their system has been repaired or maintained properly.

B. Kalantar

The Kalantar reference generally relates to a work management system for facility management. More specifically, the Kalantar reference relates to a system and method for managing facilities using client devices at each facility that communicate with a central management server through a network.

C. Kalantar does not disclose a method or system whereby operational and service information about a facility or a system can be retrieved.

Independent claims 16, 22 and 28 have been amended to make it clear that the present invention allows for the retrieval of both service information about one or more systems located at different building sites, but operational information as well. Claims 16, 22 and 28 have been amended to remove the “capable of” language objected to by the examiner. The new claims are not meant to claim both a web portal and a client, but that the web portal is provided so that it can provide information to a client upon request. A review of column 32, lines 25-43 shows a management server capable of receiving a task status message. Information about the status of a task, such as a service activity, is not analogous to information about how a system is operating, as the independent claims 16, 22 and 28 require. A review of the Kalantar reference shows no mention of providing a server with information about how a system is operating.

Accordingly, it is respectfully requested that the rejection of claims 16, 22 and 28 in light of Kalantar be withdrawn. New claims 33-35 have been amended to make it clear that the type of systems for which operational and service data is provided are selected from the group consisting of HVAC systems, fire safety systems and mechanical systems. There is no suggestion or teaching in Kalantar of being able to retrieve service or operational information from any type of building system. As claims 17-21, 23-27 and 29-33 incorporate the limitations of the independent claims, it is respectfully requested that the rejection of these claims be withdrawn as well.

### **Conclusion**

For all the foregoing reasons, it is respectfully submitted that the applicants have made a patentable contribution to the art. Favorable reconsideration and allowance of this application is, therefore, respectfully requested.

Respectfully submitted,  
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